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Attorneys for Defendant
Otto Trucking LLC

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

Waymo LLC,

Plaintiff,

v.

Uber Technologies, Inc., et al.,

Defendants.

Case No. 3:17-cv-00939-WHA

**DECLARATION OF TODD A. BOOCK IN
SUPPORT OF OTTO TRUCKING'S
MOTION FOR RELIEF FROM NON-
DISPOSITIVE PRETRIAL ORDERS
(DOCKET NO. 1391)**

Judge: Hon. William H. Alsup
Trial: October 10, 2017

Filed/Lodged Concurrently with:

1. Motion
2. [Proposed] Order

1 I, Todd A. Boock, declare as follows:

2 1. I am Counsel at the law firm of Goodwin Procter LLP, counsel of record for
3 Defendant Otto Trucking LLC (“OT”). I make this declaration based upon matters within my own
4 personal knowledge and if called as a witness, I could and would competently testify to the
5 matters set forth herein. I make this declaration in support of Defendant Otto Trucking LLC’s
6 Motion for Relief from Non-Dispositive Pretrial Orders.

7 2. Attached hereto as **Exhibit 1** is a true and correct copy of relevant portions of the
8 Transcript of Proceedings, dated August 28, 2017.

9 3. Attached hereto as **Exhibit 2** is a true and correct copy of relevant portions of the
10 Transcript of Proceedings, dated August 16, 2017.

11 4. Attached hereto as **Exhibit 3** is a true and correct copy of a document produced by
12 Waymo in this litigation, Bates-stamped WAYMO-UBER-00086885 to -00086892.

13 5. Attached hereto as **Exhibit 4** is a true and correct copy of a document produced by
14 Waymo in this litigation, Bates-stamped WAYMO-UBER-00084492 to -00084505.

15 6. Attached hereto as **Exhibit 5** is a true and correct copy of a document produced by
16 Waymo in this litigation, Bates-stamped WAYMO-UBER-00086932 to -00086939.

17 7. Attached hereto as **Exhibit 6** is a true and correct copy of a document produced by
18 Waymo in this litigation, Bates-stamped WAYMO-UBER-00086812 to -00086814.

19 8. Attached hereto as **Exhibit 7** is a true and correct copy of a subpoena issued by
20 Waymo to Eric Tate, an attorney employed by Uber and Ottomotto’s counsel, Morrison &
21 Foerster LLP.

22 9. Attached hereto as **Exhibit 8** is a true and correct copy of a subpoena issued by
23 Waymo to Adam Bentley, an attorney formerly employed by O’Melveny & Myers LLP.

24 10. Attached hereto as **Exhibit 9** is a true and correct copy of a subpoena issued by
25 Waymo to John Gardner, an attorney employed by Donahue Fitzgerald LLP.

26 11. Attached hereto as **Exhibit 10** is a true and correct copy of a document produced
27 by Waymo in this litigation, Bates-stamped WAYMO-UBER-00086809 to -00086811.

28 12. Since Judge Corley issued her August 18, 2017 Order compelling production and

1 waiving privilege as to the forensic investigation, OT has been required to seek court relief on four
2 separate occasions, including August 28 (Dkt. No. 1391), August 30 (Dkt. No. 1412), August 31
3 (Dkt. No. 1429) and September 6, 2017 (Dkt. No. 1479). Each time OT has sought court
4 assistance in directing Waymo to comply with the Court's August 18 Order, Waymo has been
5 required to produce additional document or allow additional witness testimony.

6
7 I declare under penalty of perjury under the laws of the United States that the foregoing is
8 true and correct. Executed this 11th day of September, 2017 in Los Angeles, California.

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10 /s/ Todd A. Boock
11 Todd A. Boock
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ATTORNEY ATTESTATION

I hereby attest, pursuant to Local Rule 5-1(i)(3), that I obtained the concurrence in the filing of this document from the signatory indicated by the conformed (/s/) of Todd A. Boock.

/s/ I. Neel Chatterjee
I.NEEL CHATTERJEE

CERTIFICATE OF SERVICE

I hereby certify that I electronically filed the foregoing with the Clerk of the Court for the United States District Court for the Northern District of California by using the CM/ECF system on September 11, 2017. I further certify that all participants in the case are registered CM/ECF users and that service of the Declaration, including all public and redacted exhibits attached hereto, will be accomplished by the CM/ECF system.

I certify under penalty of perjury that the foregoing is true and correct. Executed this 11th day of September 2017.

/s/ I. Neel Chatterjee
I. Neel Chatterjee